

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES GOSE DICKENSON,)	Case No. 4:12-cv-03028
)	
Plaintiff,)	
)	
v.)	AMENDED
)	PROGRESSION ORDER
EXIDON, Inc. d/b/a MID-AMERICA)	
FEED YARDS,)	
)	
Defendant.)	

IT IS ORDERED that the plaintiff's unopposed motion to extend the progression deadlines, (Filing No. 34), is granted, and the amended final progression order is as follows:

- a. A jury trial of this case is set to commence before the Honorable John M. Gerrard on May 6, 2013 at 9:00 a.m., or as soon thereafter as the case may be called, for a duration of fourteen days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at commencement of trial.
- b. The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on April 23, 2013 at 9:00 a.m., and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on April 22, 2013. An email will be sent to counsel of record with the instructions and codes for participating in the Pretrial Conference by WebEx.
- c. A telephonic conference with the undersigned magistrate judge will be held on December 4, 2012 at 1:00 p.m. to discuss the status of case progression, any filed or anticipated summary judgment motions and the impact of those motions on the current pretrial conference and trial settings, and potential settlement. Counsel for plaintiff shall place the call.
- d. The deadline for completing discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is November 28, 2012. Motions to compel Rules 33 through 36 must be filed by November 14, 2012.

- e. The deadline for complete expert disclosures, (both retained experts, Fed.R.Civ.P.26(a)(2)(B)), and non-retained experts, (Fed.R.Civ.P.26(a)(2)(C)) are:

For the plaintiff: November 16, 2012

For the defendant: December 17, 2012

- f. The deadlines for filing motions to exclude expert testimony on *Daubert* and related grounds are:

For the plaintiff: January 14, 2013

For the defendant: February 15, 2013

- g. The deposition deadline is January 14, 2013.

- h. The deadline for filing motions to dismiss and motions for summary judgment is December 17, 2012.

- i. Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.

- j. The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

DATED this 27th day of September, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge